

Michigan Stalking Laws in a Nutshell

I think that I may be a victim of stalking. Are there laws against stalking?

Although differences exist between jurisdictions, all 50 states possess laws that address the criminal act of stalking. Michigan law defines stalking as “a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested” (**MCL 750.411h**).

Michigan law considers a course of repeated (at least two instances), non-continuous acts of emotional stress, harassment and uncontested contact as key determinants in the legal definition of stalking.

Where can I find these Michigan laws?

You can access a print version of the **Michigan Compiled Laws (MCL)** at the Kalamazoo Public Law Library, 315 S. Rose St. (269)553-7920
Or on the web at: <http://www.legislature.mi.gov>

What can I do to prevent someone from stalking me?

If you feel that someone is stalking you, you’re encouraged to contact the police and file a stalking complaint. By providing law enforcement with detailed descriptions of the circumstances and the number of times the unwanted contact took place (dates and times are important), the

police department will better be able to assist you in addressing the matter. Also, you may be eligible (there are often legal restrictions) to petition the court for a **Personal Protection Order**. For more information about PPO's, contact the Family Division of the Ninth District Court at:

Kalamazoo County Family Courthouse

1400 Gull Road, Kalamazoo, MI 49048
(269) 385-6081

At the Family Courthouse, there are "do-it-yourself" PPO packets with the necessary forms. It is important to note that if you file for a PPO, you choose to be responsible for adhering to the court rules that govern lawsuits and that if granted, you follow **ALL** of the stipulations as stated by the judge's order. Deviating from the order may invalidate it, thus rendering it ineffective in protecting you.

For more information about PPO's see the county's website at:

<http://www.kalcounty.com/opa/dv/ppo.html>

The Kalamazoo YWCA is a helpful community resource for accessing information about stalking and domestic violence prevention programs. The YWCA provides counseling and support groups for victims as well as victim advocacy to rape survivors and domestic violence victims. In addition, they provide victims with the assistance of trained counselors who can both advocate for, and refer them to other community resources.

For more information see the YWCA's website:

<http://www.ywca.org>

What are the criminal penalties for stalking?

According to Michigan law, a person charged with stalking is guilty of "a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both" (MCLA 750.411h). The more serious charge of aggravated stalking is punishable:

- Up to five imprisonment, or
- Up to \$10,000 in fines, or both
- Five years probation, up to lifetime probation

For more general information about stalking see: <http://www.ncvc.org/src>

This information is not intended to substitute for legal advice or representation. Talk with an attorney if you have any questions about how this information applies to your own situation.

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